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## TRANSMITTAL FORM

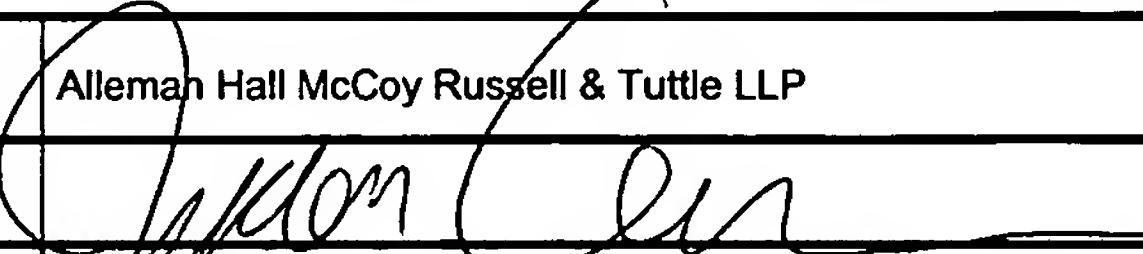
(to be used for all correspondence after initial filing)

|  |   |                        |                  |
|--|---|------------------------|------------------|
|  |   | Application Number     | 10/588,887       |
|  |   | Filing Date            | August 9, 2006   |
|  |   | First Named Inventor   | Markus Eblenkamp |
|  |   | Art Unit               | Not yet assigned |
|  |   | Examiner Name          | Not yet assigned |
| Total Number of Pages in This Submission | 5 | Attorney Docket Number | LSG06316         |

### ENCLOSURES (Check all that apply)

|  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (2 pages)                                 | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                               |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment/Reply   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)    |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)   | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request   | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
| <input type="checkbox"/> Express Abandonment Request   | <input type="checkbox"/> Terminal Disclaimer                              | <input type="checkbox"/> -Copy of executed Declaration/Power of Attorney document (1 page) |
| <input type="checkbox"/> Information Disclosure Statement  | <input type="checkbox"/> Request for Refund                               | <input type="checkbox"/> -Communication (1 page)   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                                    | <input type="checkbox"/> CD, Number of CD(s) _____                        | <input type="checkbox"/> -Return receipt postcard  |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application                            | <input type="checkbox"/> Landscape Table on CD                            |  |
| <input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |
|  | Remarks   |  |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |  |          |        |
|--------------|--|----------|--------|
| Firm Name    | Alleman Hall McCoy Russell & Tuttle LLP  |          |        |
| Signature    |  |          |        |
| Printed name | Jason C. Creasman (Reg. No. 51,587) for John D. Russell                              |          |        |
| Date         | March 21, 2008   | Reg. No. | 47,048 |

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |  |      |                |
|-----------------------|--|------|----------------|
| Signature             |  |      |                |
| Typed or printed name | Josi Bridges   | Date | March 21, 2008 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2008

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

130.00

## Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   | 10/588,887       |
| Filing Date          | August 9, 2006   |
| First Named Inventor | Markus Eblenkamp |
| Examiner Name        | Not yet assigned |
| Art Unit             | Not yet assigned |
| Attorney Docket No.  | LSG06316         |

## METHOD OF PAYMENT (check all that apply)

 Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

 Deposit Account Deposit Account Number: 50-3397 Deposit Account Name: Alleman Hall McCoy et al.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 310         | 155                   | 510         | 255                   | 210              | 105                   | _____          |
| Design           | 210         | 105                   | 100         | 50                    | 130              | 65                    | _____          |
| Plant            | 210         | 105                   | 310         | 155                   | 160              | 80                    | _____          |
| Reissue          | 310         | 155                   | 510         | 255                   | 620              | 310                   | _____          |
| Provisional      | 210         | 105                   | 0           | 0                     | 0                | 0                     | _____          |

## 2. EXCESS CLAIM FEES

## Fee Description

|  |                     | Small Entity    | Fee (\$)             | Fee (\$)                             |
|--|---------------------|-----------------|----------------------|--------------------------------------|
| Each claim over 20 (including Reissues)            |                     |                 | 50                   | 25                                   |
| Each independent claim over 3 (including Reissues) |                     |                 | 210                  | 105                                  |
| Multiple dependent claims                          |                     |                 | 370                  | 185                                  |
| <b>Total Claims</b>                                | <b>Extra Claims</b> | <b>Fee (\$)</b> | <b>Fee Paid (\$)</b> | <b>Multiple Dependent Claims</b>     |
| - 20 or HP =                                       | x                   | =               |                      | <b>Fee (\$)</b> <b>Fee Paid (\$)</b> |

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | 03/25/2008 GFREY1 00000037 503227 10500007 |
|---------------|--------------|----------|---------------|--|
| - 3 or HP =   | x            | =        | 01 FC:1517    | 130.00 DQ                                  |

HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 =      | / 50 =       | (round up to a whole number) x                   | =        |               |

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late declaration surcharge

130.00

## SUBMITTED BY

Signature

Registration No.  
(Attorney/Agent) 47,048

Telephone 503-459-4141

Name (Print/Type) John D. Russell

Date March 21, 2008

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Date: March 21, 2008  
Markus Eblenkamp et al. Attorney Ref. LSG06316

Serial No. 10/588,887 Art Unit: Not yet assigned  
Filed: August 9, 2006 Examiner: Not yet assigned

For: **METHOD AND DEVICE FOR THE CHARACTERIZATION OF CELLS,  
CLUSTERS AND/OR TISSUE**

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Alexandria, Virginia 22313-1450

**SUBMISSION OF EXECUTED DECLARATION**

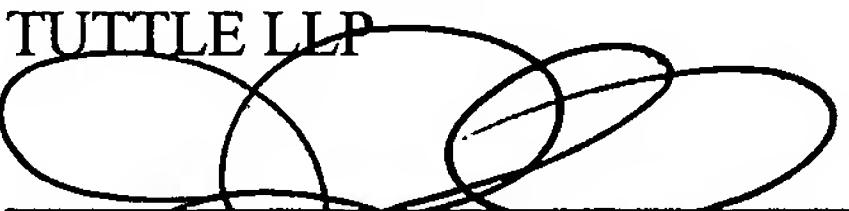
Applicants filed the above-identified application with an unsigned Declaration. Enclosed is an executed Declaration for the above-identified application. Applicants request that the enclosed Declaration be entered in the file effective as of the date of this communication.

**“Express Mail” Mailing Label  
No. EV865257909US  
Date of Deposit – March 21, 2008**

I hereby certify that the attached correspondence is being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, Alexandria, Virginia 22313.

  
Erica Rothman

Respectfully submitted,  
ALLEMAN HALL MCCOY RUSSELL &  
TUTTLE LLP

  
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